



Public Notice

US Army
Corps
of Engineers
Memphis District

200400049

REPLY TO ATTN: Roger Allan
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-3682
Fax: (901) 544-3266
Email: Roger.S.Allan@usace.army.mil
POSTMASTER PLEASE POST UNTIL: March 4, 2004

PUBLIC NOTICE NO:
TN-2004-49 (RSA)
REFERENCE NUMBER:
200400049
PUBLIC NOTICE DATE:
February 3, 2004
EXPIRATION DATE:
March 4, 2004

Joint Public Notice
Corps of Engineers
and
State of Tennessee

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Angela Duncan
Tennessee Department of Transportation
Environmental Planning and Permits Div.
Suite 900, J.K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243
(615) 253-2477

LOCATION: The project is located near Eads in Shelby County, Tennessee, at approximate latitude 035-11-56.81 and longitude 089-39-6.38 on the Eads, TN, 7.5-minute quadrangle map. Copies of location maps are attached (see attachments 1 and 2).

PURPOSE: The purpose of the proposed project is to complete the segment of State Route 385 between Collierville-Arlington Road (in Eads) to a point approximately 2,000 feet north of Macon Road.

DESCRIPTION OF WORK: As part of The Tennessee Department of Transportation's plans to extend State Route 385 to connect Paul Barrett Parkway with the Nonconnah Parkway (please see attachment 1), the current proposal is to construct a segment of State Route 385 from Collierville-Arlington Road to a point approximately 2,000 feet north of Macon Road in Shelby County, Tennessee. This project will entail impacts to wetlands and other waters of the United States (stream channels) at eight locations along its proposed route; these areas are indicated on the attached location map and are summarized below:

Site 1: Alignment of approximately 225 linear feet of stream channel into 183 linear feet of 8X4 ft. box culvert and lining of approximately 40 linear feet of stream channel with riprap. (See Attachment 3.)

Site 2: Alignment of approximately 266 linear feet of stream channel into 47 linear feet of open stream channel + 163 linear feet of concrete pipe with 46 linear feet of endwalls and lining of approximately 29 linear feet of stream channel with riprap. (See attachment 3.)

Site 3: Alignment of approximately 255 linear feet of stream channel into 15 linear feet of open stream channel + 201 linear feet of box culvert and lining of approximately 38 linear feet of stream channel with riprap. (See Attachment 4.)

Site 4: Filling of approximately 0.048 acre of wetlands. Associated with this impact would be temporary impacts to 0.022 acre of wetlands during construction. (See attachment 4.)

Site 5: Filling of approximately 0.578 acre of wetlands (dominated by sycamore *{Platanus occidentalis}*, elderberry *{Sambucus canadensis}*, sandbar willow *{Salix interior}*, sweetgum *{Liquidambar styraciflua}* and soft rush *{Juncus effusus}*); associated with this impact would be temporary impacts to 0.177 acre of wetlands during construction. Additionally, the applicant plans to route approximately 550 linear feet of stream channel into 358 linear feet of open stream channel + 215 linear feet of box culvert and line approximately 36 linear feet of stream channel with riprap. (See attachment 5.)

Angela Duncan
TN-2004-49 (RSA)

200400049

Site 6. Filling of approximately 0.235 acre of wetlands (vegetation consists primarily of boxelder *{Acer negundo}*); associated with this impact would be temporary impacts to 0.100 acre of wetlands during construction. Additionally, the applicant proposes to route approximately 880 linear feet of stream channel into approximately 314 linear feet of open stream channel + 231 linear feet of concrete pipe with 28 linear feet of endwalls and line approximately 16 linear feet of channel with riprap. (See attachment 6.)

Site 7. Filling of approximately 1.218 acres of wetlands (vegetation includes red maple *{Acer rubrum}*, silver maple *{Acer saccharinum}*, sweetgum and tulip poplar *{Liriodendron tulipifera}*); associated with these impacts would be temporary impacts to 0.084 acre of wetlands during construction. Additionally, the applicant proposes to construct a 255-foot, 3-span concrete deck girder bridge across Grays Creek. (See attachment 6.)

Site 8. Filling of approximately 0.131 acre of isolated (and therefore not regulated by the Corps of Engineers, Memphis District), wooded wetland (vegetation includes red maple, sweetgum and Chinese privet *{Ligustrum sinense}*); associated with this impact would be temporary impacts to 0.054 acre of wetlands during construction. (See attachment 7.)

Overall, this project would entail permanent impacts to 2.21 acres of wetlands (including impacts to 0.131 acre of isolated wetlands not regulated by the Corps) and temporary impacts to 0.437 acre of wetlands (including impacts to 0.054 acre of isolated wetlands not regulated by the Corps). The applicant proposes to mitigate permanent impacts by debiting 4.42 acres of credits from the Wolf River Wetland Mitigation Bank. The applicant proposes to mitigate temporary wetland impacts by (a) restoring these areas to their original contours; (b) seeding these areas with annual grass; and (c) planting native bottomland hardwood trees on 10-foot centers.

The applicant has proposed to mitigate stream impacts by contributing \$221,000 to the Tennessee Stream Mitigation Program. This amount covers 15 linear feet of impacts associated with loss of riparian canopy (Site 3), and a total of 1,098 linear feet of stream loss (at sites 2, 3, 5 and 6). The remaining stream impacts will be mitigated on-site by relocating stream channels and planting native bottomland hardwood trees along the banks.

The deposition of fill or dredged material into waters of the U.S., including adjacent wetlands, requires Corps authorization.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. **Commentors are requested to also furnish a copy of their comments to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC), at (615) 532-0713 or in writing at TDEC 7th Floor L. & C. Annex Building, 401 Church Street, Nashville, Tennessee 37243-1534. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity.** The applicant is also encouraged to contact the offices of TDEC at the above telephone number or address for information on permit processing fees and TDEC's potential need for additional information not found in this notice. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. However, this application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation,

Angela Duncan
TN-2004-49 (RSA)

200400049

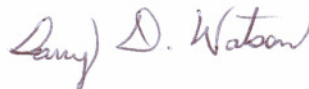
water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

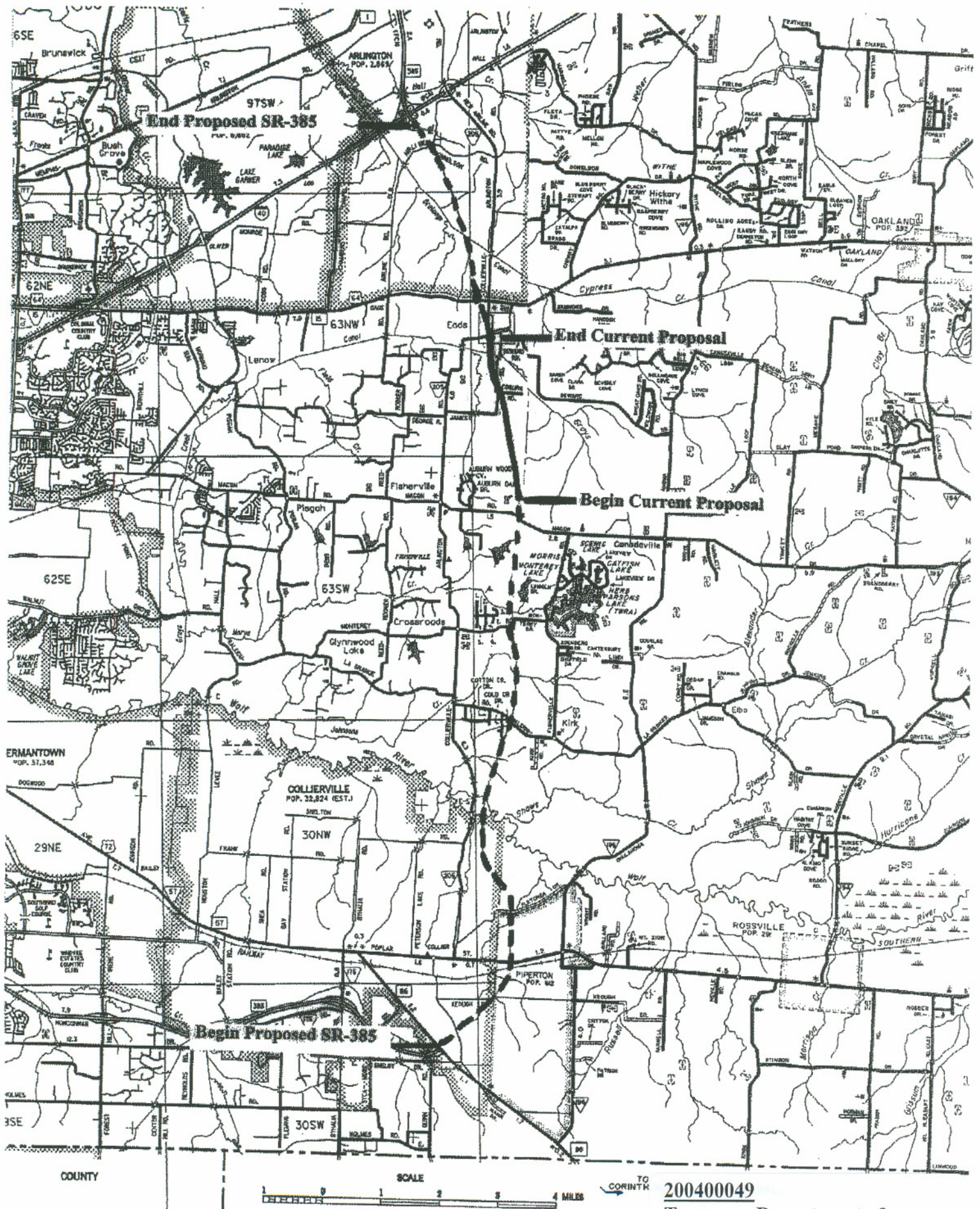
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3682. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by March 4, 2004.



Larry D. Watson
Chief
Regulatory Branch

Attachments



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Transportation

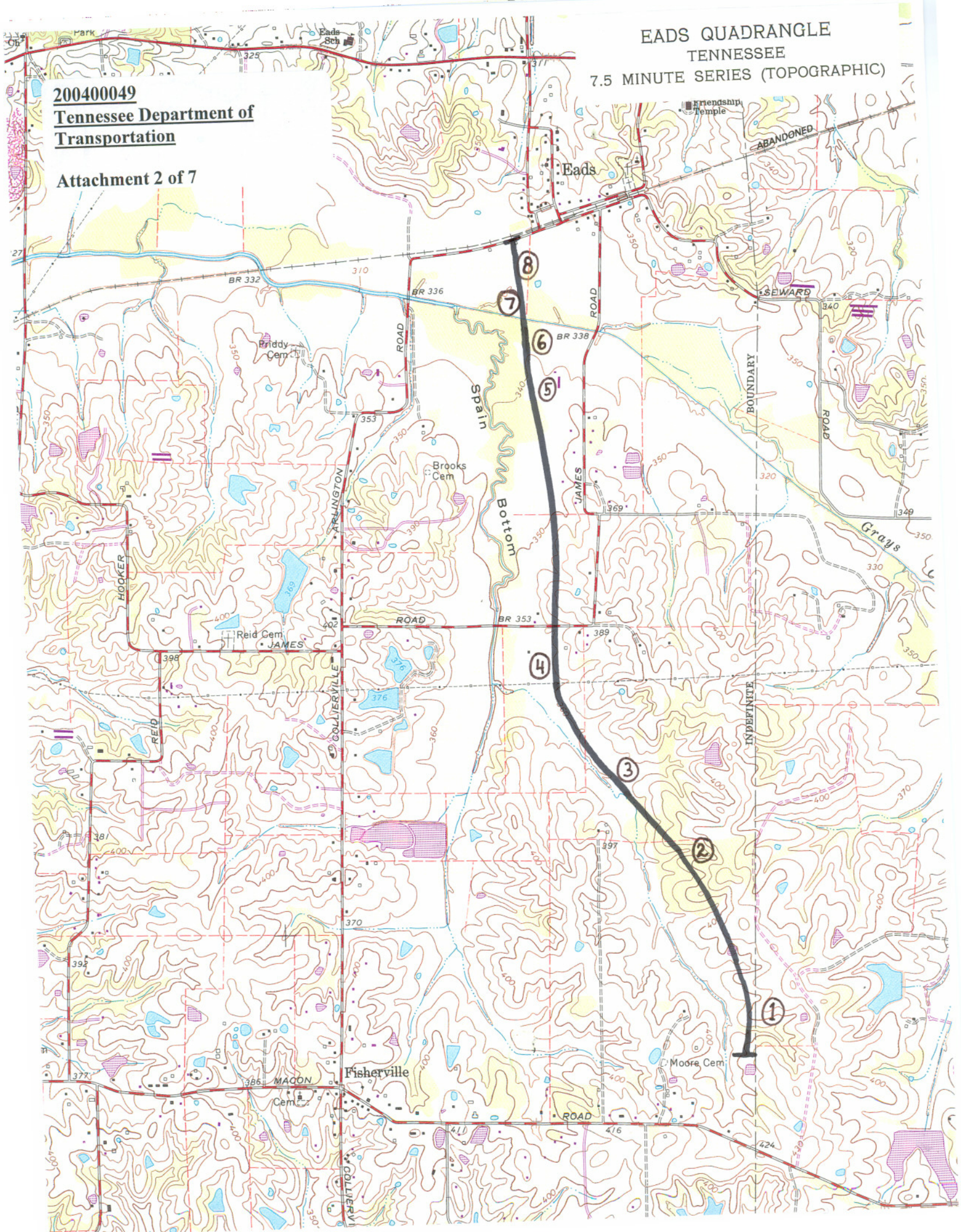
Attachment 1 of 7

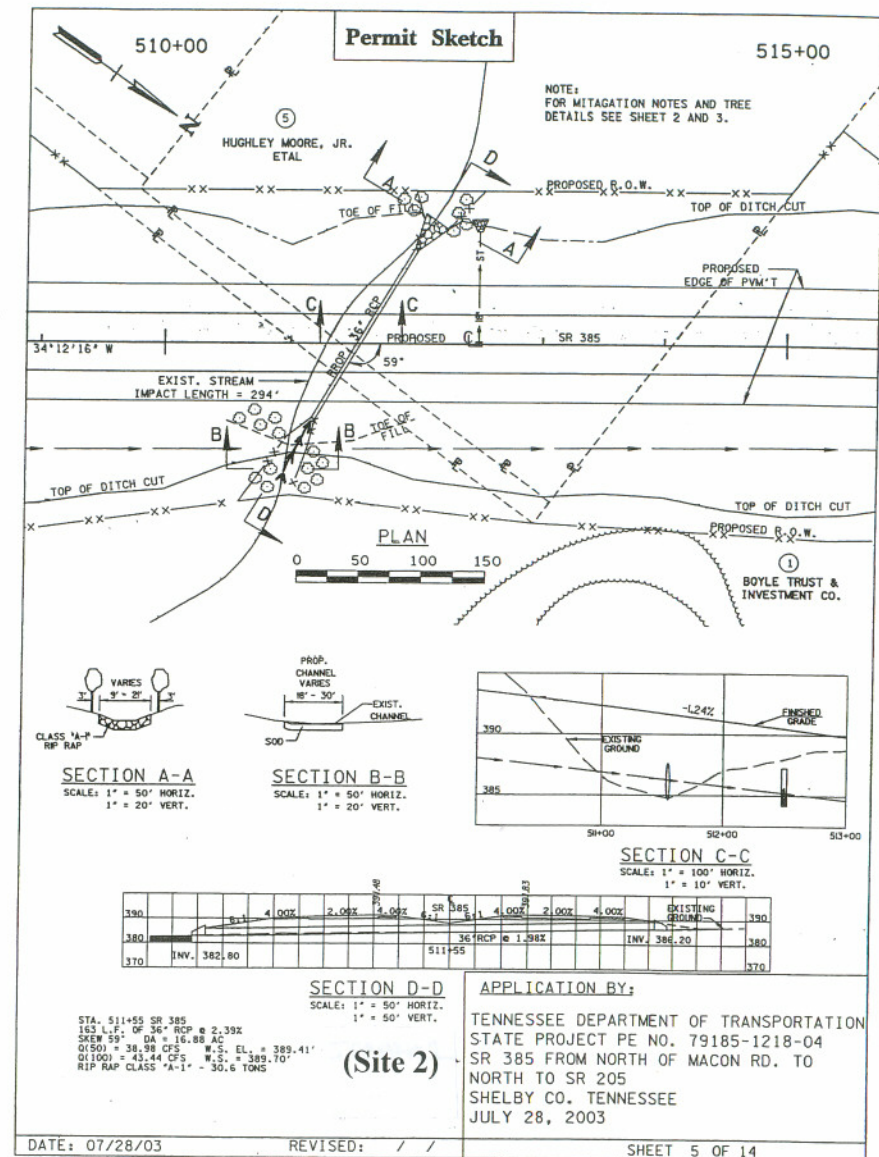
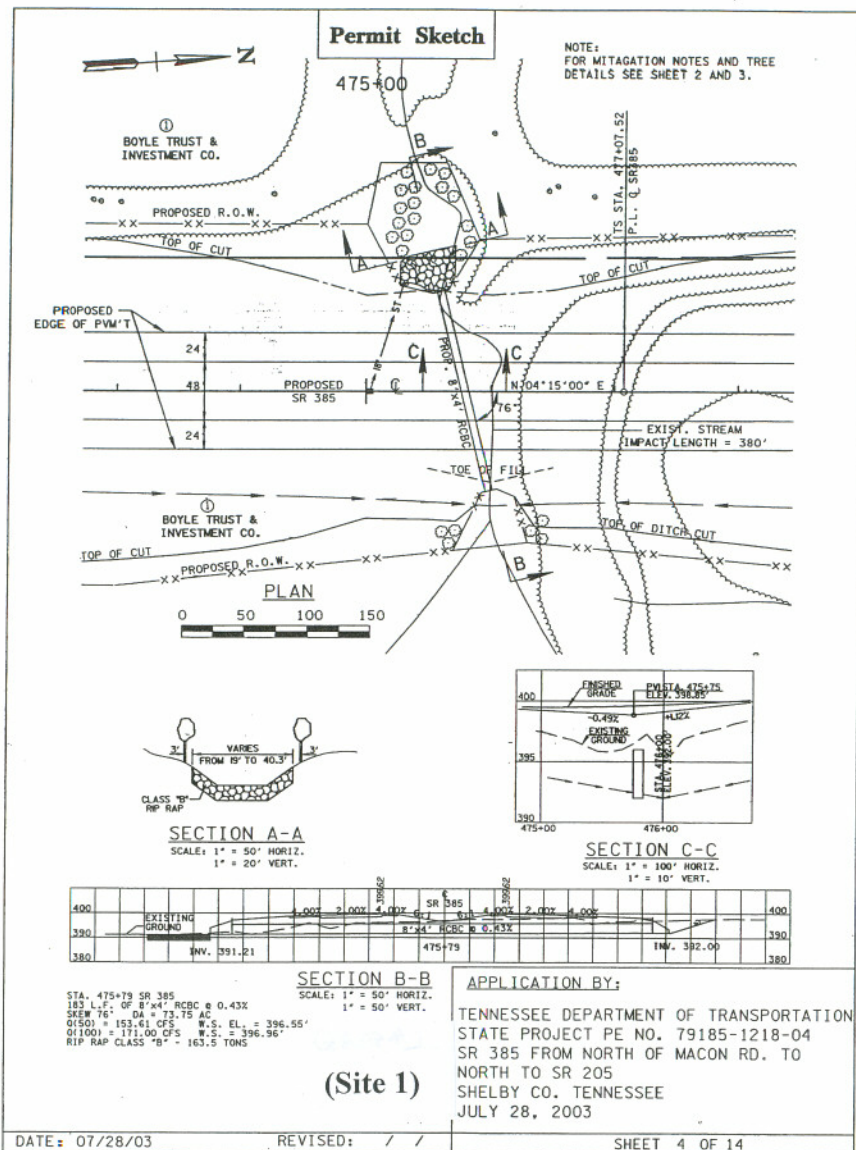
200400049

Tennessee Department of
Transportation

Attachment 2 of 7

EADS QUADRANGLE
TENNESSEE
7.5 MINUTE SERIES (TOPOGRAPHIC)



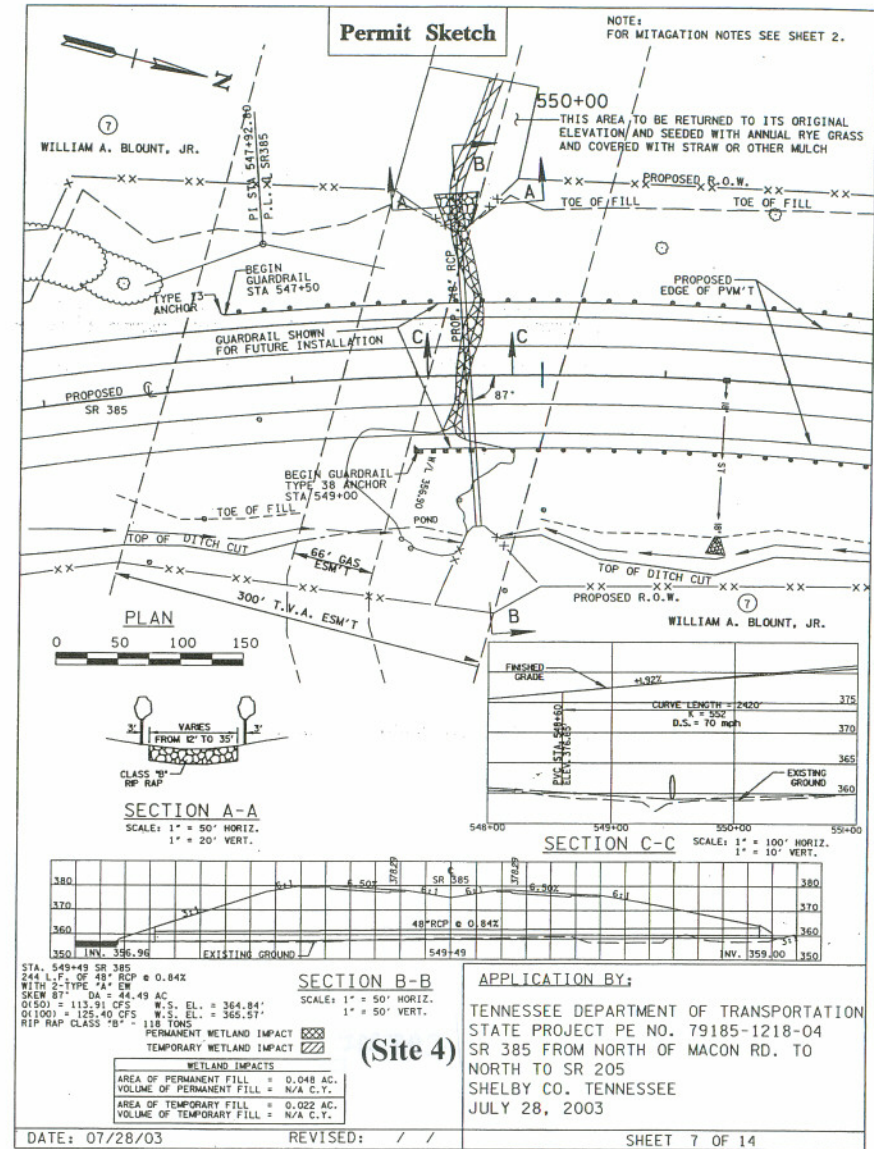
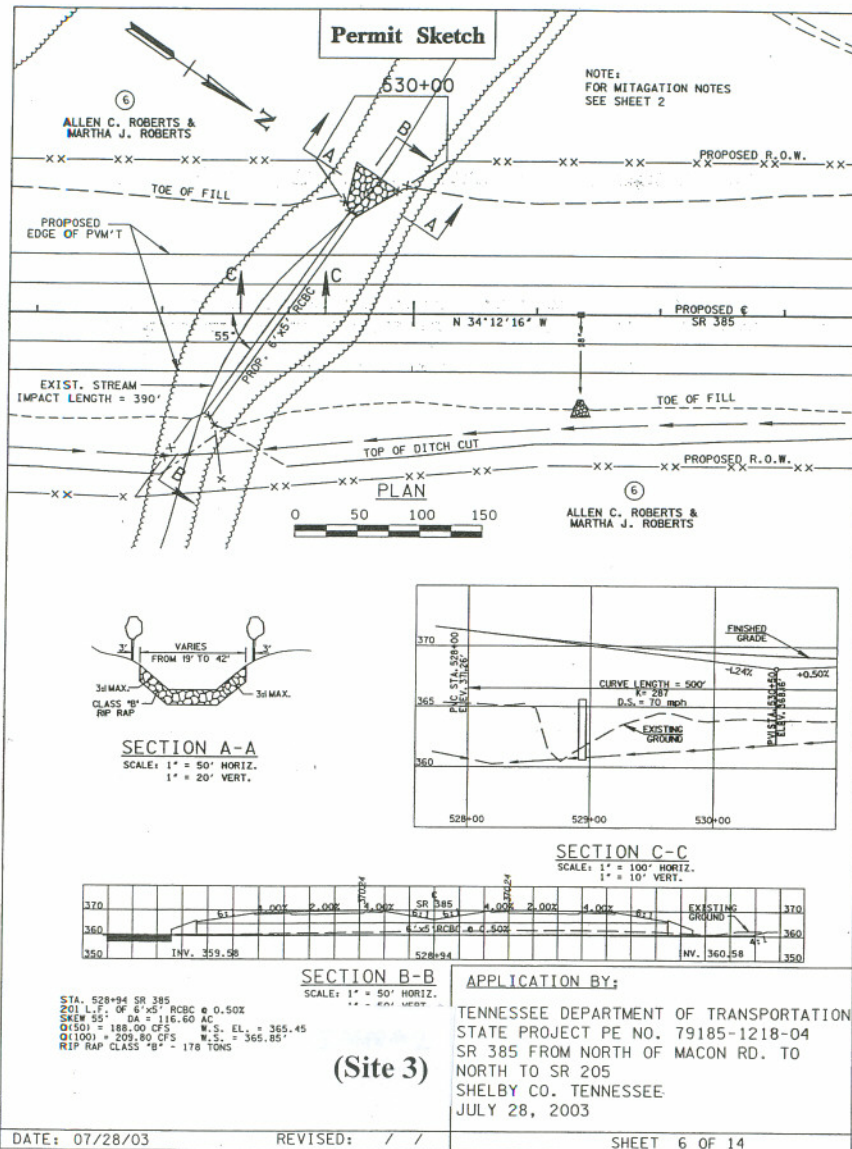


200400049

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Transportation**

Attachment 3 of 7

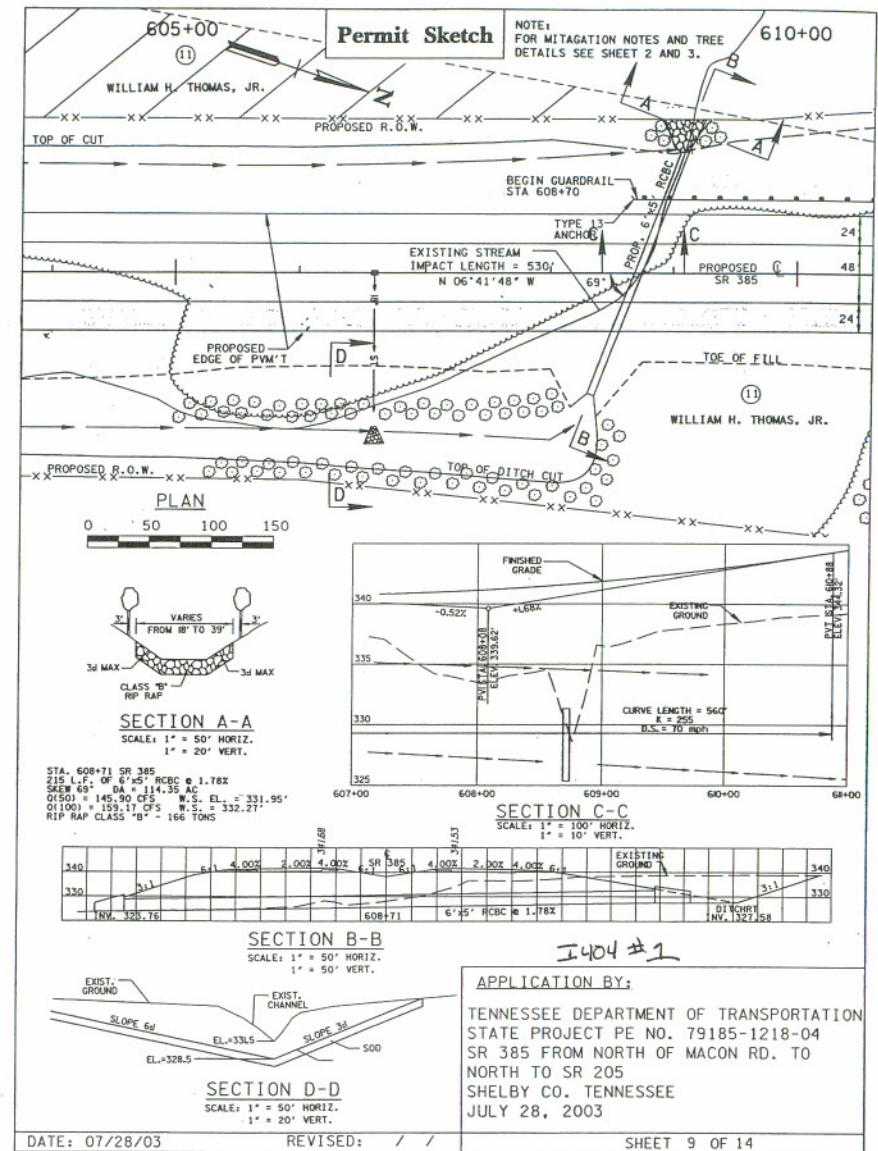
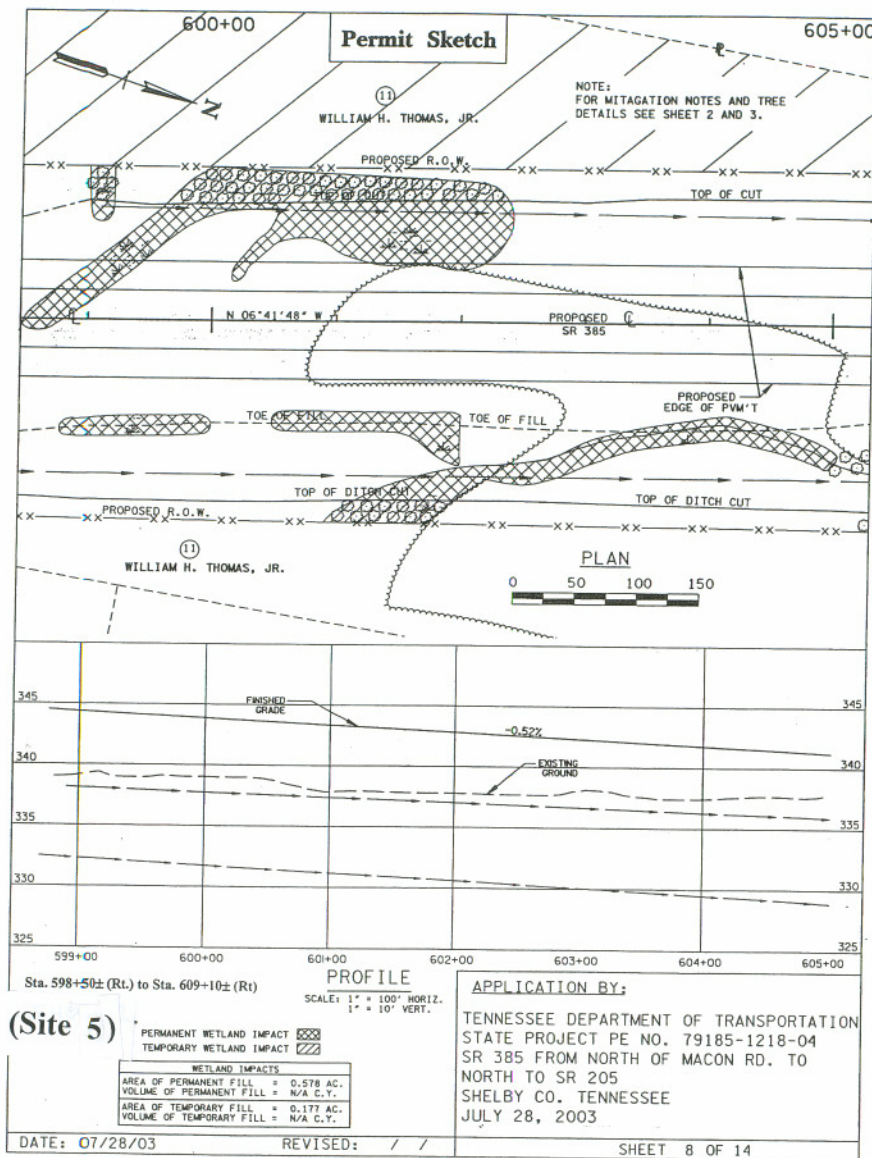
Sta. 549+10± (Rt.) to Sta. 549+60± (Lt.)



200400049

Tennessee Department of Transportation

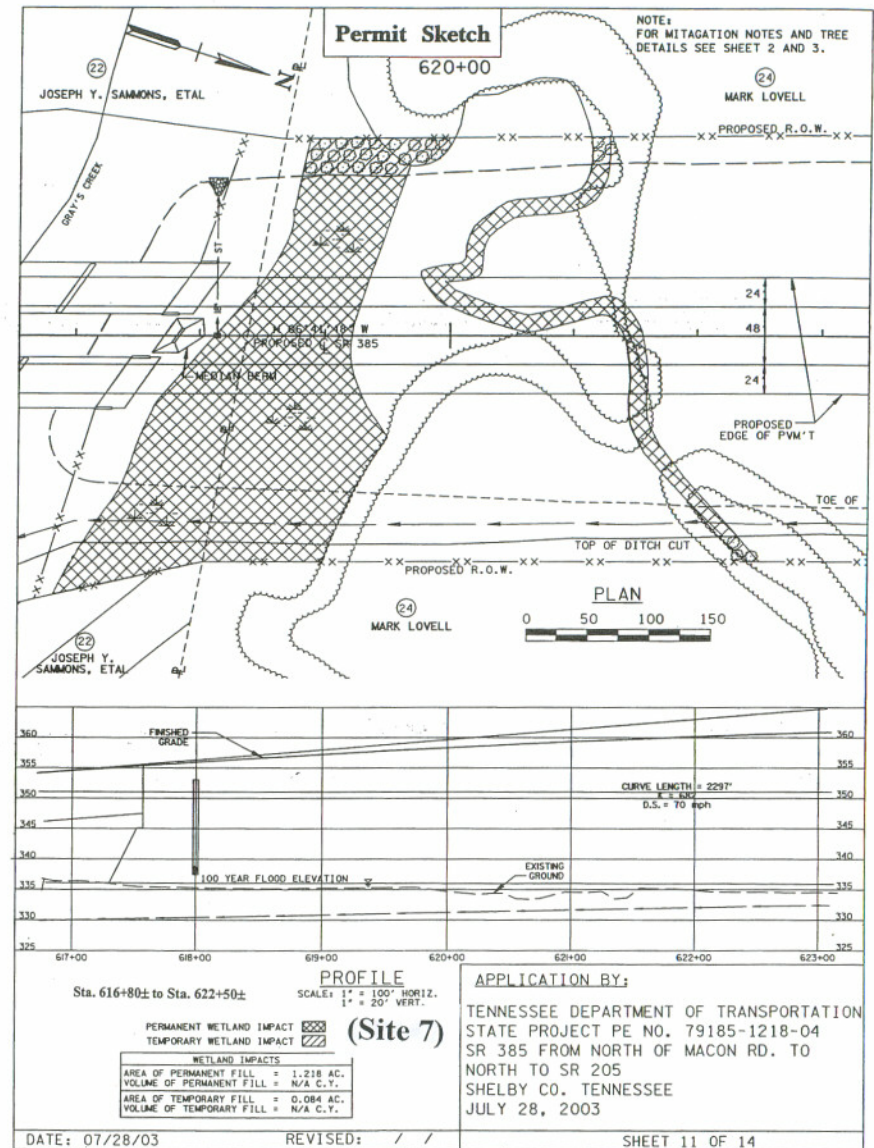
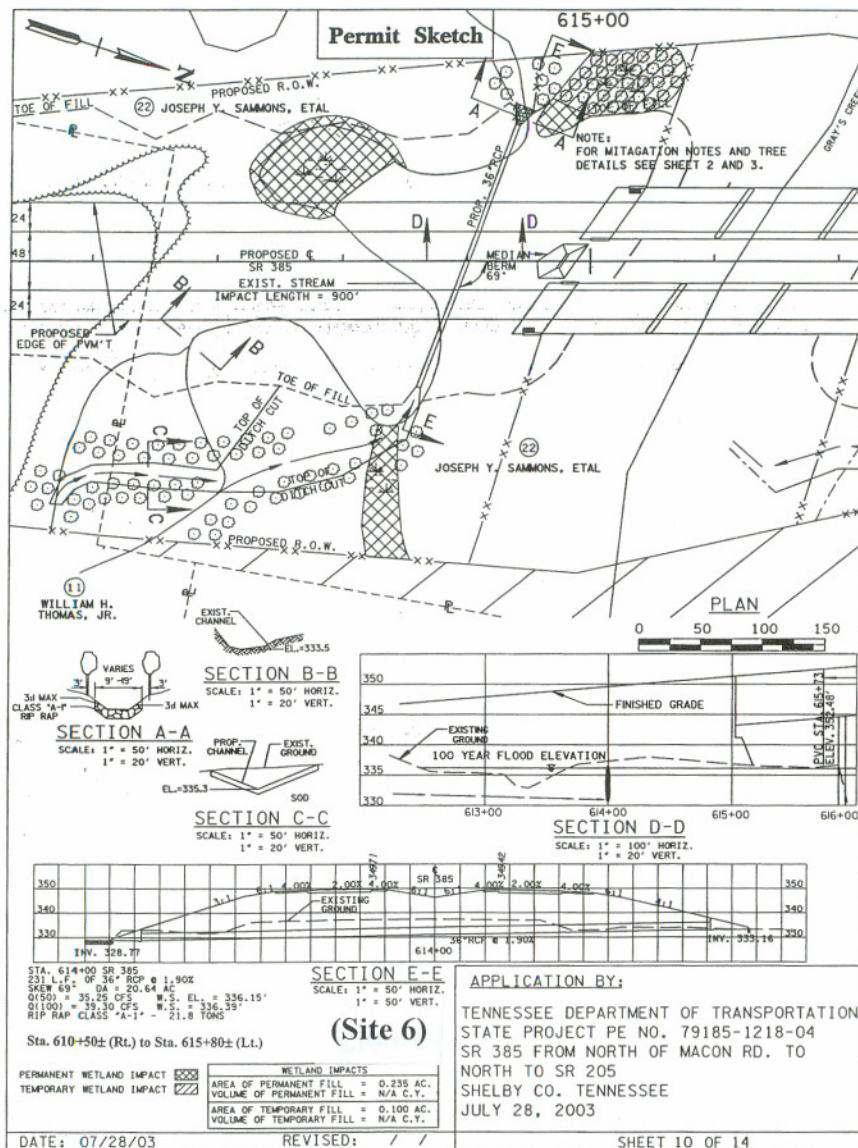
Attachment 4 of 7



200400049

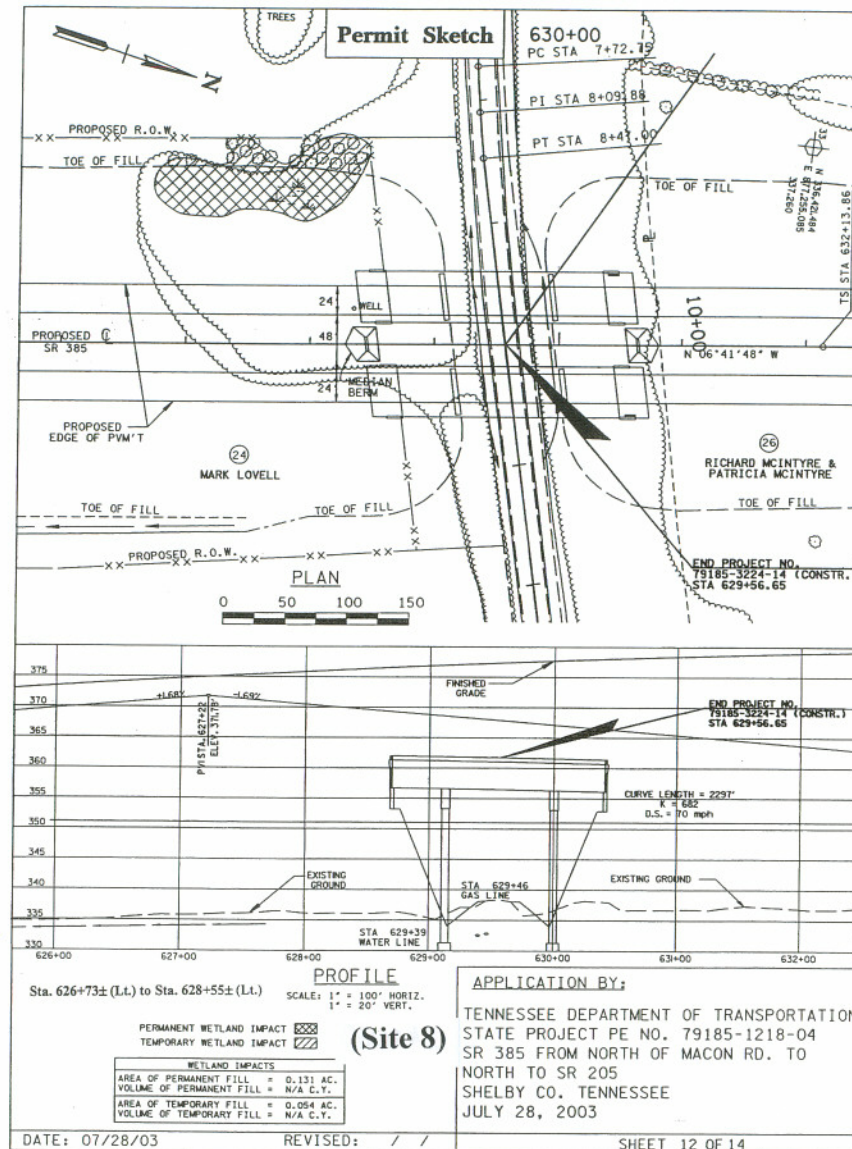
Tennessee Department of
Transportation

Attachment 5 of 7



200400049
Tennessee Department of
Transportation

Attachment 6 of 7



200400049
Tennessee Department of
Transportation

Attachment 7 of 7